

COLLEGE STUDENT AID COMMISSION[283]

Notice of Intended Action

Proposing rule making related to waivers and postponement provisions and providing an opportunity for public comment

The College Student Aid Commission hereby proposes to amend Chapter 25, “Rural Iowa Advanced Registered Nurse Practitioner and Physician Assistant Loan Repayment Program,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 261.3.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapter 261 and 2018 Iowa Acts, Senate File 2415, sections 16 and 17.

Purpose and Summary

These proposed amendments reflect changes to Iowa Code section 261.114 that were enacted in 2018 Iowa Acts, Senate File 2415, sections 16 and 17. Section 16 repeals a provision related to a full-time practice waiver, and section 17 repeals provisions related to postponement of the service obligation.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions, if any, pursuant to 283—Chapter 7.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rule making. Written or oral comments in response to this rule making must be received by the Commission no later than 4:30 p.m. on September 4, 2018. Comments should be directed to:

Karen Misjak

Executive Director

College Student Aid Commission

475 S.W. Fifth Street, Suite D

Des Moines, Iowa 50309-4608

Phone: 515.725.3410

Fax: 515.725.3401

Email: karen.misjak@iowa.gov or administrative rules website at rules.iowa.gov

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend rule 283—25.5(261) as follows:

283—25.5(261) Waivers.

25.5(1) Service commitment area. The commission may waive the requirement that the advanced registered nurse practitioner or physician assistant practice in the same service commitment area for five years. The advanced registered nurse practitioner or physician assistant must request a waiver from the commission in writing.

~~**25.5(2) Full-time employment.** The commission may waive the requirement that the advanced registered nurse practitioner or physician assistant be employed full-time if the advanced registered nurse practitioner or physician assistant demonstrates exceptional circumstances. The advanced registered nurse practitioner or physician assistant must request a waiver from the commission in writing. If a waiver request is granted by the commission, the agreement will be amended to provide an allowance for part-time employment. The five-year employment obligation will be proportionally extended to ensure the advanced registered nurse practitioner or physician assistant is employed in a service commitment area for the equivalent of five full-time years.~~

~~**25.5(3) Postponement of advanced registered nurse practitioner or physician assistant employment.** The advanced registered nurse practitioner or physician assistant obligation to engage in practice in accordance with 25.3(4) may be postponed for no more than two years from the time full-time practice was to commence. The advanced registered nurse practitioner or physician assistant must request a waiver from the commission in writing for one of the following purposes:~~

- ~~a. Active duty service in the armed forces, the armed forces military reserve, or the national guard.~~
- ~~b. Service in Volunteers in Service to America or the federal Peace Corps.~~
- ~~c. A service commitment to the United States Public Health Service Commissioned Corps.~~
- ~~d. A period of religious missionary work conducted by an organization exempt from federal income taxation pursuant to Section 501(c)(3) of the Internal Revenue Code.~~

~~The advanced registered nurse practitioner or physician assistant obligation to engage in practice in accordance with 25.3(4) may be postponed for a period exceeding two years for any period of temporary medical incapacity, including leave approved under the Family and Medical Leave Act, during which the advanced registered nurse practitioner or physician assistant is unable to engage in full-time practice. The advanced registered nurse practitioner or physician assistant must request a waiver from the commission in writing.~~

~~**25.5(4) 25.5(2) Satisfaction of advanced registered nurse practitioner or physician assistant employment.** All obligations under the rural Iowa advanced registered nurse practitioner and physician assistant loan repayment program are considered to be satisfied when any of the following conditions are met:~~

- ~~a. to d. No change.~~

ITEM 2. Amend ~~283~~**Chapter 25**, implementation sentence, as follows:
These rules are intended to implement Iowa Code section 261.114 as amended by ~~2014 Iowa Acts,~~
~~Senate File 2347~~ 2018 Iowa Acts, Senate File 2415.